



150 NE 2nd Avenue
Deerfield Beach, FL 33441
954-250-4124

Regular Meeting Planning & Zoning Board

Thursday, June 4, 2026

7:00 PM

Commission Chambers

CALL TO ORDER AND ROLL CALL

APPROVAL OF MINUTES

Planning & Zoning Board Meeting Minutes

Attachment: May 7, 2026

OLD BUSINESS

NEW BUSINESS

1. 2026-049: Application 25-P-249 (DEFERRED TO A FUTURE DATE)

Applicant: MBA Development Partners of Florida LLC

Proposal: Seeking PLAT NOTE AMENDMENT application approval to amend the restrictive plat note on the Deerfield Beach FAU - Plat 2 (Plat Book 178, Page 29) to allow for the development of a mix of uses, including workforce housing, retail and restaurant space, a hotel, green space, and other public amenities.

Location: The property is described as DEERFIELD BEACH FAU - PLAT 2 178-29B PARCEL A, more particularly described in the file, and located at **1045 SW 11th Way**.

Attachment: 3. 25-P-249, 1045 SW 11th Way, Staff Report

2. P.H. 2026-050: PROPOSED LAND DEVELOPMENT CODE AMENDMENT - ZONING DISTRICT REGULATIONS

Applicant: CITY OF DEERFIELD BEACH

Proposal: Proposed amendment to Chapter 98, Article 1" Definitions and Terms", Section 98-10 "Site Plan or Plat to Be Compatible", Article II "Deerfield Beach Land Development Code", Section 98-12 "Application for Development Permits", Section 98-13 "Requirements for Development Permits", Section 98-14 "DRC Major Development Procedures", Section 98-15 "DRC Minor Development Procedures", of the City's Land Development Code to permit Plats and Plat Note Amendments to be approved administratively.

STAFF REPORT

CHAIRMAN AND MEMBER REPORT

ADJOURNMENT

Any person wishing to appeal any decision made by the Planning and Zoning Board with respect to any of the above, will need a record of the proceedings and for such purpose, may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is based. The above notice is required by State law (FS 286.0105.) **Anyone desiring a verbatim transcript shall have the responsibility, at his/her own expense, to arrange for the presence at the hearing of a certified court reporter.** A full transcript of the proceedings will be needed in order to appeal any decision of the Board. All interested parties may present testimony relevant to the applications and participate in the proceeding. Further information may be obtained from the Planning Office during business hours in City Hall. If anyone requires auxiliary aids for communication, please call (954) 480-4213.

**PLANNING AND ZONING BOARD
CITY OF DEERFIELD BEACH, FLORIDA
May 7, 2026
MEETING MINUTES**

A regular meeting of the Planning and Zoning Board of the City of Deerfield Beach, a municipal corporation of Florida, was called to order on the above date at 7:00 p.m. in the City Commission Chambers by Chair Bennett.

ROLL CALL

Present: Michelle Balaun
Joe Chancy, Alternate
Judith Lovely, Alternate
Bridgette Beckford, Vice Chair
Brian Bennett, Chair

Also Present: Heather Waldstein, Assistant Director of Planning and Development Services
Emily Cortez, Planner II
Anthony Soroka, City Attorney
Heather Montemayor, City Clerk

Absent: Angela Falzone, Alternate
William Lane
Keith Porter
Brian Shartrand, Alternate

SEATING OF ALTERNATES

None.

APPROVAL OF MINUTES

Vice Chair Beckford made a motion, seconded by Ms. Balaun to approve the March 5, 2026 minutes as submitted. The motion CARRIED by unanimous vote.

NEW BUSINESS

1. P.H. 2026-041: APPLICATION 25-RM15-69

Applicant: Miskel Backman, LLP on behalf of K. Hovnanian

Proposal: Seeking Major Site Plan approval to develop the 4.47-acre vacant property with 43 two-story townhome units and associated site improvements. As part of the Site Plan Approval, the Applicant is also seeking allocation of 43 residential flex units.

Location: The property is described as BELLE TERRE OF DEER CREEK 108-26 B PARCEL A, more particularly described in the file, and located at **3116 Deer Creek Country Club Boulevard**.

2. P.H. 2026-042: APPLICATION 25-P-243

Applicant: Miskel Backman, LLP on behalf of K. Hovnanian

Proposal: Seeking a Plat Note Amendment, concurrent with a Major Site Plan Approval (25-RM15-69), to allow for the development of 43 residential townhome units.

Location: The property is described as BELLE TERRE OF DEER CREEK 108-26 B PARCEL A, more particularly described in the file, and located at **3116 Deer Creek Country Club Boulevard**.

3. P.H. 2026-043: APPLICATION 25-R-206**Applicant: Miskel Backman, LLP on behalf of K. Hovnanian**

Proposal: Seeking a Rezone, concurrent with a Major Site Plan Approval (25-RM15-69), from the B1 community, business zoning district to the RM15 residence, multifamily zoning district.

Location: The property is described as BELLE TERRE OF DEER CREEK 108-26 B PARCEL A, more particularly described in the file, and located at **3116 Deer Creek Country Club Boulevard**.

SUMMARY BACKGROUND/EXPLANATION

Miskel Backman, LLP, authorized agent for K. Hovnanian (“Applicant”), seeks to develop the 4.47-acre vacant property with 43 two-story townhome units, comprising two buildings of eight attached units and three buildings of nine attached units, with associated site improvements, including a community pool. As part of the Major Site Plan request, the Applicant is also seeking an allocation of 43 residential flex units.

Concurrent with the Major Site Plan approval is a request for a Plat Note Amendment (25-P-243) to amend the current language restricting development to “non-residential use” to allow for “43 townhome units”; and a request for Rezone (25-R-206) from the B-1 business community district to the RM-15 residence multifamily district.

The Planning and Zoning Division is unaware of any historical significance of the property or prior historical activities associated with the site.

On March 25, 2026, the item was heard and approved as submitted by the Community Appearance Board.

Emily Cortez, Planner II, provided a brief overview of the applications, which were presented simultaneously, but voted on separately.

In response to Chair Bennett’s question, Ms. Cortez replied that no approval or denial letters had been received; rather, only undeliverable notices were received.

Christina Bilenki, 14 SE 4th Street, Boca Raton, representing the applicant, highlighted a brief PowerPoint presentation. She explained that the applicant is requesting a rezoning from B-1 to RM-15 due to the limited visibility needed to support commercial uses. Furthermore, she noted that there are residential uses in the area along Deer Creek County Club Boulevard, which she briefly outlined. Ms. Bilenki stated that the future land use designation is commercial, which is where the flex unit allocation applies. Thereafter, she displayed the site plan, landscape plan, and elevations, and stated that all comments and applicable criteria have been addressed. Lastly, she explained that the plat note request is to amend the current language restricting development to commercial uses in order to allow the development of 43 townhome units.

In response to Mr. Chancy’s question, Jaime Mayor, 3910 RCA Blvd., Palm Beach Gardens, landscape architect, replied that there are some invasive species on the site that will be removed; however, they plan to replace as much of the removed vegetation as possible. Further, there will be a buffer around the property.

Thereafter, discussion ensued regarding the landscape plan.

In response to Chair Bennett’s question, Ms. Cortez replied that the Community Appearance Board and the City’s Urban Forrester approved the landscape plan. Further, she stated that the project underwent DRC review.

Chair Bennett opened the public hearing; however, there were none to speak and the public hearing was closed. Thereafter, he spoke in support of the project, as it will be a great addition to the area.

Vice Chair Beckford made a motion, seconded by Ms. Balaun to approve Application 25-R-206 as submitted. The motion CARRIED by unanimous vote.

Vice Chair Beckford made a motion, seconded by Ms. Lovely to approve Application 25-P-243 as submitted. The motion CARRIED by unanimous vote.

Vice Chair Beckford made a motion, seconded by Mr. Chancy to approve Application 25-RM15-69 as submitted. The motion CARRIED by unanimous vote.

STAFF REPORT

Next Meeting - Heather Waldstein, Assistant Director of Planning and Development Services, said there will be a meeting on June 4th.

CHAIRMAN'S REPORT

None.

MEMBERS' REPORTS

NE 3rd Avenue - Mr. Chancy thanked the City for their efforts and stated that he looks forward to seeing the upgrades.

Volunteer Appreciation Luncheon - Ms. Balaun thanked city staff, as the luncheon was very enjoyable.

ADJOURNMENT

Vice Chair Beckford made a motion, seconded by Ms. Balaun to adjourn the meeting at 7:30 p.m. The motion CARRIED by unanimous vote.

Brian Bennett, Chair
Planning and Zoning Board



Development Review Committee

Summary Report

Development Plan Application Review

General Information

Application No. 25-P-249

Applicant: MBA Development Partners of Florida, LLC

Requested Action/Description: Seeking PLAT NOTE AMENDMENT application approval to amend the restrictive plat note on the Deerfield Beach FAU – Plat 2 (Plat Book 178, Page 29) to allow for the development of a mix of uses, including workforce housing, retail and restaurant space, a hotel, green space, and other public amenities.

Location: 1045 SW 11th Way
(Folio # 484212530010)

Legal Description: DEERFIELD BEACH FAU-PLAT 2
178-29B PARCEL A

Size: 6.99 acres (gross) / 3.75 acres (net)

Existing Zoning: CF Community Facilities

Proposed Zoning: PDD

Existing Land Use: Vacant

Future Land Use Plan Designation: Community Facilities

Surrounding Land Use and Zoning:

	<u>Existing Land Use</u>	<u>Zoning</u>
North:	Residential Moderate	B-2, Business Highway
East:	Residential Moderate	B-2, Business Highway/RM-10(5), Residence Multifamily
South:	Residential Low	RS5, Single Family/S, Open Space
West:	Commercial	B-2 Business Highway

Applicable Regulations: Deerfield Beach Land Development Code

Plat Restrictions: This Plat is restricted to 100,000 square feet of research and development park, banks, and commercial/retail uses are not permitted without the approval of the Board of County Commissioners, who

shall review and address these uses for increased impacts.

Proposed:

This Plat is restricted to 150 multi-family residential units, a hotel with 120 rooms with an event center, and 143,256 square feet of office and commercial uses.

Department Comments & Requirements

REQUEST:

- Plat Note Amendment to amend and remove the existing restriction to allow development of a mix of uses, including workforce housing, retail and restaurant space, a hotel, green space, and other public amenities.

BACKGROUND:

MBA Development Partners of Florida LLC (“Applicant”) is the contract purchaser of the 3.75-acre vacant property at 1045 SW 11th Way (“Property”), and seeks to amend the Plat Note Amendment to allow for future development and use of the property with a mix of uses, including workforce housing, retail and restaurant spaces, a hotel, green space, and other public amenities.

On March 7, 2023, the City Commission of the City of Deerfield Beach approved a Purchase and Sale agreement with MBA Development Partners of Florida, LLC for the sale of city-owned property located at 1045 SW 11th Way, subject to referendum approval.

On March 14, 2023, the voters of the City of Deerfield Beach approved a referendum allowing the City of Deerfield Beach to sell the Property for the purpose of creating a multi-use development with workforce housing, retail and restaurant space, a hotel, green space, and other public amenities.

The instant application request for a Plat Note Amendment is part of a larger application request, including a Major Site Plan Amendment (26-PDD-6), LUPA (#70A), and Rezone (26-R-11) to be brought before the Planning and Zoning Board for a public hearing at a later date.

The Planning and Zoning Division is unaware of any historical significance of the property or prior historical activities associated with the site.

SUMMARY OF DEVELOPMENT REVIEW COMMITTEE COMMENTS:

The application has been reviewed by the Development Review Committee (Planning & Zoning). Staff comments have been addressed, and the application is considered to be in compliance with the Land Development Code. Staff DRC comments are attached to this report.

PLANNING CONSIDERATIONS:

1. Compliance with the Comprehensive Plan: Per Section 98-9, no permit or approval for development of land, site plan, plat, or building permit shall be approved that

does not comply with the goals, objectives, and policies of the Deerfield Beach Comprehensive Plan. The existing Future Land Use (FLU) Map designation identifies the site as Community Facilities. However, submitted with this instant application request is a request for a Future Land Use Plan Amendment to Mixed Use High Residential (#70A). Further, the referendum approved in March 2023 is for the development of the property as a multi-use development. As such, the proposed Plat Note Amendment meets Goal FLU1.0 “*Ensure that development and redevelopment occurring in the City achieves and maintains a functional mix of residential, commercial, industrial, and recreational land uses.*” The proposed Plat Note Amendment will allow for the development of a mix of uses, consistent with the approved referendum.

2. Land Development Requirements; Per Section 98-17 (13), The City of Deerfield Beach shall approve no plat, site plan, or building permit until it has made the following determinations:
 - a. *Platting*; the platting requirements as set forth in the City’s adopted comprehensive plan and Broward County Land Use Plan have been met. A concurrent Plat Note Amendment Application has been submitted to Broward County, and the proposed Plat Note language has been reviewed and confirmed by Broward County.

SUMMARY:

Staff’s review of Plat Note Amendment application 25-P-249 has found that the proposed project is consistent with the goals, objectives, and policies of the Future Land Use Element of the Deerfield Beach Comprehensive Plan, and the proposed use is permitted per the Land Development Code.

This report contains the requirements of the Deerfield Beach Development Review Committee members relative to this site development plan application. If there are any questions or issues regarding compliance with any of the requirements in this report, the respective department should be contacted directly.



DEVELOPMENT PLAN APPLICATION

PROVIDE IN FULL THE FOLLOWING INFORMATION (TYPE OR PRINT LEGIBLY)

One application may be submitted for multiple requests. Unless otherwise directed by staff, the following items with associated attachments are required for staff to determine the application is complete for processing by the City.

PROJECT INFORMATION:

TYPE OF REQUEST (check all that apply)

<input checked="" type="checkbox"/> New Site Plan / Site Plan Modification (See Attachment A)	<input checked="" type="checkbox"/> Plat or Plat Note Amendment (See Attachment F)
<input checked="" type="checkbox"/> Community Appearance Board (See Attachment B)	<input type="checkbox"/> Conditional Use (See Attachment G)
<input type="checkbox"/> Variance (See Attachment C)	<input type="checkbox"/> Vacation & Abandonment (See Attachment H)
<input type="checkbox"/> Technical Deviation (See Attachment D)	<input type="checkbox"/> ROW Variance (See Attachment I)
<input checked="" type="checkbox"/> Rezoning (See Attachment E)	<input type="checkbox"/> Sign Variance (See Attachment J)

Project Name: Deerfield Beach - Mixed Use Development @ FAU Blvd

Property Owner: City of Deerfield Beach

Applicant (if different from Owner): MBA Development Partners of Florida LLC

Agent (if different from Owner/Applicant): _____

Address of Property: 1045 SW 11th Way, Deerfield Beach, FL, 33441

Legal Description of Property (lot, block, tract, subdivision): Deerfield Beach FAU - Plat 2, Parcels A & B

150 (Felipe Castro - 4/16/26)

Description of Project: The project is a mixed-use development comprising up to ~~475~~ residential units, a hotel with up to 120 rooms, an event space, office tower, restaurants, and commercial areas.

New Development (Y/N):	<u>Yes</u>	Modification to Existing Development (Y/N):	<u>No</u>
Zoning District:	<u>CF - Community Facility</u>	Future Land Use Category:	<u>PDD</u>
Existing Use:	<u>CF - Community Facility</u>	Proposed Use:	<u>High (50) Mixed-use</u>
Lot Area (acres):	<u>3.75</u>	Number of Dwelling Units (proposed):	<u>150</u>
Sq. Ft. of Structure (existing):	_____	Sq. Ft. of Structure (proposed):	<u>690,155 (03-10-2026)</u>

Agent Signature:

Owner Signature:

Name Printed: Juan Carlos Ayala

Name Printed: Rodney Brimlow

Address: 55 NE 5TH AVENUE SUITE 501 BOCA RATON, FL 33486

Address: 150 NE 2ND AVE, DEERFIELD BEACH, FL 33441

Telephone: 305 9968 9493

Telephone: 954 250 4069

Email: jcajala@capitalgroupusa.com

Email: rbrimlow@deerfield-beach.com

INTERNAL USE ONLY:

SUBMITTAL DATE: _____

REQUEST SUBMITTED	APPLICATION NO:	FEES		REQUEST SUBMITTED	APPLICATION NO:	FEES	
		Required	Provided			Required	Provided
Site Plan - Residential		\$2000 + \$10/unit + \$100 (Fire)		Site Plan Modification - Major		\$2000 + \$100 (Fire)	
Site Plan - Nonresidential		\$2000 + \$20 / 1000 GFA + \$100 (Fire)		Site Plan Modification - Minor		\$500 + \$100 (Fire)	
Community Appearance Board (CAB)		\$50		Plat or Note Amendment		\$1000 + \$50/acre (Nonres) \$1000 + \$40/acre + \$10/unit (Res) \$550 (Note)	
Variance (Site Plan)		\$1000		Conditional Use		\$1000 / \$300	
Variance (ZASM)		\$300					
Sign Variance		\$550					
Technical Deviation		\$500		ROW Vacation / Abandonment		\$1,350	
Rezoning		\$2000		Easement Vacation / Abandonment		\$1,350	

Total Fees Paid: _____

Cost Recovery

Account No.	Project No.	Project Name	Service	Deposit Amount	Date Received	Check No.	Receipt No.



For Office Use Only
Application No. _____
Submittal Date: _____

ATTACHMENT F

APPLICATION FOR PLAT OR PLAT NOTE AMENDMENT

Pursuant to Code Section 98-12.

Application Type (Check applicable box)

- Plat Approval Plat Note Amendment

**COMPLETE ALL SECTIONS OF APPLICATION LEGIBLY.
INCOMPLETE APPLICATIONS WILL NOT BE ACCEPTED.**

An application must be deemed complete and in compliance with the Land Development Code by Staff prior to the items being scheduled for public hearing.

REQUIRED SUBMITTALS

All of the following items must be submitted to be deemed a complete application (*documentation may be provided with the development plan application requirements in Attachment A*):

- Complete Application** (including Development Plan Application Form)
- Application Processing Fee** (See fee schedule)
- Proof of Ownership** from the property owner. If the owner cannot be verified through the Broward County Tax Roll, a copy of either the recorded warranty deed, valid purchase contract, or a signed and notarized letter from the owner of record must be submitted with this application.
- Disclosure Affidavit** for all owners, representatives, and applicants for the project that will be speaking on behalf of the application.
- Agent Authorization Letter** if applicable, authorizing the applicant/agent to act on all property owners' behalf.
- Public Notice Requirements** (for applications requiring City Commission approval only) as required by the provisions set forth in Code Section 98-35(1).
- (5) 24"x 36", (1) 11"x17", & (1) Electronic Copy of Current Boundary Survey** (*12 months or less*) signed and sealed by a Florida registered surveyor of the subject property, containing the information required by Code Section 98-13(b)(8)(b).
- (5) 24"x 36", (1) 11"x17", & (1) Electronic Copy of Proposed Plat** consistent with requirements set forth in Article IX Division 3 of the Broward County Land Development Code.
- One (1) Digital CD** of required submittals listed above must be provided.
- Other Information** may be required as determined by staff.

PROPOSED NOTE AMENDMENT (To be completed for plat note amendment applications only.)

Existing Plat Note: _____

Proposed Plat Note: _____

Public Notice and Advertising Requirements
Pursuant to Code Section 98-35(1), prior to any public hearing of the city commission for a development permit as described in section 98-12 of this Code, the applicant shall provide proper notification to the public in compliance with this section and all applicable county, state and federal law.

EXHIBIT "A"
LEGAL DESCRIPTION

DEERFIELD BEACH FAU-PLAT 2 178-29B PARCEL A RECORDED AS INSTRUMENT
NUMBER 105106236 IN OFFICIAL RECORDS BOOK 18656, PAGE 0822 OF THE
PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA

FOLIO NUMBER: 4842 12 53 0010

A/K/A 1045 SW 11TH WAY DEERFIELD BEACH, FL 33441



DISCLOSURE AFFIDAVIT

The City of Deerfield Beach requires all applicants, and persons and/or entities doing business with the City, to disclose any potential for or conflict of interest as stated below. Per Ordinance No. 2009/006 of the City of Deerfield Beach, the adopted Ethics Code contains the following:

Section 5. Disclosure and Behavior Requirements of Applicants and Persons/Entity seeking a City contract or currently doing business with the City.

Any applicant for a land use change or development permit requiring approval of the City Commission, or any person/entity seeking a City contract through a request for proposal, request for qualification, or sealed bid process (all referred to as applicant):

- A. Shall not induce, attempt to offer, solicit or knowingly assist any person in violating the Ethics Code.
- B. All applicants shall include the following with their application, proposal, or bid:

(Attach additional sheets as needed for each item.)

- 1. A listing of all campaign contributions to sitting City Commissioners in the past four (4) years, as well as contributions of all officers, directors, shareholders of a corporation if the application is a corporation, or partners if the applicant is a partnership, or members, whether general or limited, if it is a limited liability company.

*11/4/22 - Michael Hrdak Campaign - \$500 - , 11/4/24 Daniel Sharetzy Campaign - \$500 - , 11/19/24 - Todd Drasky Campaign - \$500 -
 1/16/25 - Tom Plaut Campaign \$500 - , 1/16/25 - Todd Drasky Campaign \$500 -*

- 2. Disclose all those items that a regulated officer is required to disclose concerning any conflict, whether actionable or non-actionable.

NA

- 3. Disclose any action that is a violation of the Ethics Code by a regulated office (in reference to the application) with the applicant and/or the applicant's agents, and what was done to rectify the violation (for example: if a gift was given, when demand was made for return of the gift.)

N/A

- 4. An applicant shall fully, completely, accurately, and not misleadingly report and file all disclosures required by this Ethics Code, and shall fully, completely, accurately, and not misleadingly make all disclosures referenced in this Ethics Code and not omit material information, and/or file misleading and/or deceitful information in the disclosure.
- 5. An applicant has a continuing duty to report any violation of this Ethics Code related to their application.
- 6. Failure to disclose in compliance with this Section shall be a violation of this Ethics Code and shall be grounds for the City Commission to void or rescind any approval or contract.

C. No applicant shall, directly or indirectly, induce, encourage, or aid anyone to violate any provision of this Code.

I, Alex Lazowick, have received a copy of the ordinance and understand the ordinance requirements.

Applicant

[Signature]

Signature

4/19/26

Date

SWORN TO AND SUBSCRIBED Before me by means of physical presence or online

notarization, this 9th day of April, 2026 by

Alex Lazowick (Affiant), who is personally

known to me or has produced _____ identification.

My commission expires: 12-5-26

Commission No.: _____

[Signature]

(Signature of Notary Public - State of Florida)

(Print, Type, or Stamp Commissioned Name of Notary Public)



SHEKINAH WEBER
Notary Public
State of Florida
Comm# HH338288
Expires 12/5/2026

Date: _____
Application _____
Nos.: _____



DISCLOSURE AFFIDAVIT

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- A. Shall not induce, attempt to offer, solicit or knowingly assist any person in violating the Ethics Code.
- B. All applicants shall include the following with their application, proposal, or bid:

(Attach additional sheets as needed for each item.)

- 1. A listing of all campaign contributions to sitting City Commissioners in the past four (4) years, as well as contributions of all officers, directors, shareholders of a corporation if the application is a corporation, or partners if the applicant is a partnership, or members, whether general or limited, if it is a limited liability company.

None

- 2. Disclose all those items that a regulated officer is required to disclose concerning any conflict, whether actionable or non-actionable.

None

- 3. Disclose any action that is a violation of the Ethics Code by a regulated office (in reference to the application) with the applicant and/or the applicant's agents, and what was done to rectify the violation (for example: if a gift was given, when demand was made for return of the gift.)

None

- 4. An applicant shall fully, completely, accurately, and not misleadingly report and file all disclosures required by this Ethics Code, and shall fully, completely, accurately, and not misleadingly make all disclosures referenced in this Ethics Code and not omit material information, and/or file misleading and/or deceitful information in the disclosure.
- 5. An applicant has a continuing duty to report any violation of this Ethics Code related to their application.
- 6. Failure to disclose in compliance with this Section shall be a violation of this Ethics Code and shall be grounds for the City Commission to void or rescind any approval or contract.

C. No applicant shall, directly or indirectly, induce, encourage, or aid anyone to violate any provision of this Code.

I, Brian P. Herbert, have received a copy of the ordinance and understand the ordinance requirements.

Applicant

 Signature

04/09/2026
 Date

SWORN TO AND SUBSCRIBED Before me by means of physical presence or online

notarization, this 9 day of APRIL, 2026 by

Brian P. Herbert (Affiant), who is personally

known to me or has produced _____ identification.

My commission expires: _____

Commission No.: _____




 (Signature of Notary Public - State of Florida)

HEATHER CHABOT
 (Print, Type, or Stamp Commissioned Name of Notary Public)

Date: _____
Application _____
Nos.: _____



DISCLOSURE AFFIDAVIT

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- A. Shall not induce, attempt to offer, solicit or knowingly assist any person in violating the Ethics Code.
- B. All applicants shall include the following with their application, proposal, or bid:

(Attach additional sheets as needed for each item.)

- 1. A listing of all campaign contributions to sitting City Commissioners in the past four (4) years, as well as contributions of all officers, directors, shareholders of a corporation if the application is a corporation, or partners if the applicant is a partnership, or members, whether general or limited, if it is a limited liability company.

None

- 2. Disclose all those items that a regulated officer is required to disclose concerning any conflict, whether actionable or non-actionable.

None

- 3. Disclose any action that is a violation of the Ethics Code by a regulated office (in reference to the application) with the applicant and/or the applicant's agents, and what was done to rectify the violation (for example: if a gift was given, when demand was made for return of the gift.)

None

- 4. An applicant shall fully, completely, accurately, and not misleadingly report and file all disclosures required by this Ethics Code, and shall fully, completely, accurately, and not misleadingly make all disclosures referenced in this Ethics Code and not omit material information, and/or file misleading and/or deceitful information in the disclosure.
- 5. An applicant has a continuing duty to report any violation of this Ethics Code related to their application.
- 6. Failure to disclose in compliance with this Section shall be a violation of this Ethics Code and shall be grounds for the City Commission to void or rescind any approval or contract.

C. No applicant shall, directly or indirectly, induce, encourage, or aid anyone to violate any provision of this Code.

I, Juan Carlos Ayala, have received a copy of the ordinance and understand the ordinance requirements.

Applicant

Signature

Date

SWORN TO AND SUBSCRIBED Before me by means of physical presence or online notarization, this 9 day of April, 2026 by

Juan Carlos Ayala (Affiant), who is personally

known to me or has produced _____ identification.

My commission expires: _____

Commission No.: _____



Heather Chabot
(Signature of Notary Public - State of Florida)

HEATHER CHABOT
(Print, Type, or Stamp Commissioned Name of Notary Public)

From:

**Rodney Brimlow
City Manager
City of Deerfield Beach
150 NE 2nd Ave, Deerfield Beach FL 33441**

April 7, 2026

To:

**MBA Development Partners of Florida, LLC
55 NE 5th Ave
Suite 501
Boca Raton, FL 33486**

RE: Agent Authorization Letter – Plat Note Amendment

The City of Deerfield Beach, as the legal owner of the property located at 1045 SW 11th Way, Deerfield Beach, Florida, hereby authorizes MBA Development Partners of Florida, LLC to act as its designated agent in all matters related to the processing of a Plat Note Amendment for the aforementioned property.

This authorization grants MBA Development Partners of Florida, LLC full authority to prepare, submit, and coordinate all applications, documents, and supporting materials required for the Plat Note Amendment process. The agent is further authorized to communicate, coordinate, and respond on behalf of the property owner with all relevant governmental agencies, departments, and reviewing authorities, including but not limited to planning, zoning, engineering, and development services.

MBA Development Partners of Florida, LLC is empowered to act on behalf of the City of Deerfield Beach throughout the duration of this process, including addressing review comments, attending meetings or hearings, and executing necessary documentation associated with the application, as permitted by applicable regulations.

This authorization shall remain in effect until the completion of the Plat Note Amendment process, unless otherwise revoked in writing by the City of Deerfield Beach.



Rodney Brimlow
City Manager
City of Deerfield Beach



Juan Carlos Ayala, PMP®, AIA, LEED AP
Director of Development - P3 Projects
MBA Development Partners of Florida, LLC



Owner Affidavit / Letter of Authorization

City of Deerfield Beach
Planning & Development Services
150 NE 2nd Avenue
Deerfield Beach, FL 33441

Public Works and Environmental Services Department
Housing and Urban Planning Division
1 N. University Drive, Box 102A
Plantation, FL 33324

RE: City of Deerfield Beach
1045 SW 11th Way

Folio(s): 484212530010, 484212530020

To Whom It May Concern:

State of Florida
County of Broward

I, Rodney Brimlow, am the authorized agent of City of Deerfield Beach Management & Budget Director, ("Owner") the owners of the property located at 1045 SW 11th Way, Deerfield Beach FL, also described in the legal descriptions below:

PARCEL NO.1 (FOLIO: 484212530010)
DEERFIELD BEACH FAU-PLAT 2 178-29B PARCEL A

PARCEL NO.2 (FOLIO: 484212530020)
DEERFIELD BEACH FAU-PLAT 2 178-29B PARCEL B

We hereby authorize KEITH, Becker Law and MBA Development Partners of Florida, LLC to act on our behalf to submit all applications necessary for entitlement and development related issues.

Signature of owner/agent [Handwritten Signature]

Print Name

Rodney Brimlow

Sworn and subscribed before me this 9 day of April, 2026

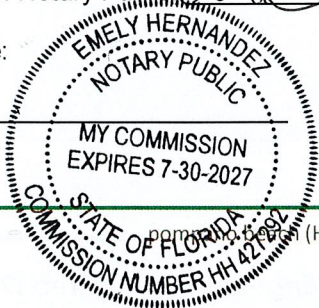
- He/She is personally know to me or
Has presented identification
Online notarization

Signature of Notary Public [Handwritten Signature]

Print Name:

Date:

Emely Hernandez



www.KEITHteam.com

Witness Name:

Date:

Address:

Witness Name:

Date:

Address:



AFFIDAVIT TO AUTHORIZE AGENT

FROM:

Rodney Brimlow
City Manager
(954) 250-4069
150 NE 2nd Ave, Deerfield Beach, FL 33441

TO:

Juan Carlos Ayala
Director of Development
(305) 968-9493
55 NE 5th Ave, Boca Raton, FL 33432



I, Rodney Brimlow, acting in my capacity as City Manager, being duly sworn, hereby appoint Juan Carlos Ayala as my authorized agent to act on my behalf in matters related to development applications, coordination, and representation before applicable governmental agencies, including but not limited to Broward County and associated municipalities.

The authorized agent is granted full authority to submit applications, respond to comments, coordinate with reviewing agencies, and execute documents as required in connection with the processing of development-related approvals.

A handwritten signature of Rodney Brimlow in blue ink is written over a horizontal line.

Rodney Brimlow

Date: 4/9/2026

I, Juan Carlos Ayala, hereby accept the appointment as Agent.

A handwritten signature of Juan Carlos Ayala in blue ink is written over a horizontal line.

Juan Carlos Ayala

Date: April 09, 2026

NOTARY PUBLIC

STATE OF FLORIDA

COUNTY OF BROWARD

The foregoing instrument was acknowledged before me by means of physical presence or online notarization this 9 day of April, 2022, by Rodney Brimlow.

He/she is personally known to me or has produced _____ as identification.

MY COMMISSION
EXPIRES 7-30-2027
Name of Notary Typed, Printed or Stamped

STATE OF FLORIDA
COMMISSION NUMBER AH 42723

Signature of Notary Public – State of Florida

Emely Hernandez

Notary Seal (or Title or Rank)

Serial Number (if applicable)

PROPOSED LAND DEVELOPMENT CODE AMENDMENT – ZONING DISTRICT REGULATIONS

Applicant: **CITY OF DEERFIELD BEACH**

Proposal: Proposed amendment to Chapter 98, Article I “Definitions and Terms”, Section 98-10 “Site Plan or Plat to Be Compatible”, Article II “Deerfield Beach Land Development Code”, Section 98-12 “Application for Development Permits”, Section 98-13 “Requirements for Development Permits”, Section 98-14 “DRC Major Development Procedures”, Section 98-15 “DRC Minor Development Procedures”, of the City’s Land Development Code to permit plats and plat note amendments to be approved administratively.

SUMMARY BACKGROUND/EXPLANATION

On June 20, 2025, the Florida Legislature passed Senate Bill 784, which amends Sections 177.071 F.S. and 17.111 F.S. of the Florida Statutes regarding plats. The law was intended to potentially shorten time frames and carrying costs for new development. The law went into effect July 1, 2025, and essentially changed approval of plats to an administrative official (city manager, assistant city manager or high-ranking department or division) to be processed by an administrative authority (department, division or agency) rather than a governing body (council, board, or commission). Section 177.071(1)(5) indicates that if this law is inconsistent with any county charter, the county charter will prevail. Although Broward County is a Charter County, they are considering administrative approval of plats, and other cities within Broward County are doing the same and implementing administrative procedures. The City of Deerfield Beach is also desirous of implementing an administrative procedure.

Section 177.071(1)(a) of the state law requires the governing body to enact an ordinance that will designate an administrative authority for the processing of a plat and an administrative official who is responsible for approving, approving with conditions, or denying the plat. The proposed amendment identifies the Planning & Development Services as the administrative authority, and the administrative official as the Director of Planning & Development Services. The Planning & Development Services Department already processes plats and already has an administrative approval process within the Land Development Code, known as the “minor site plan procedure.” Therefore, the proposed amendment essentially changes the processing of plats from a “major site plan procedure” to a “minor site plan procedure.” Other sections of the Land Development Code, which refer to a plat approval by the City Commission, were also amended. Major site plan applications, technical deviations, and variances that are part of site plans would still be required to obtain approval from the City Commission (governing body).

REQUESTED ACTION:

Recommendation to the City Commission on the proposed code amendment.

ATTACHMENT:

Draft Ordinance

Sec. 98-10. ~~Site plan or plat to be compatible.~~¹

No site plan ~~or plat~~ shall be approved absent a finding by the city commission that the site plan is compatible as that term is defined herein.

Sec. 98-12. Applications for development permits.

(a) Application. The DRC shall review and file a development review report on all applications for a development permit through the development review procedures set forth herein.

(b) The following applications for development permits shall undergo major development review for the issuance of development permits:

~~(1) Plats;~~

~~(2) Land use plan amendments;~~

~~(3) Amendments to the official zoning map and text amendments to the land development code;~~

~~(4) Development plans consisting of at a minimum:~~

a. Construction of a new principal building; or

b. Modification to an approved development plan that will increase the building size by ten percent; or

c. Modification to an approved development plan that affects more than ten percent of the building square footage, or lot upon which the development is located; or

d. Modification to an approved development plan that will alter the use of the approved development plan, and/or significantly change the concept, intent or arrangement of the approved development plan; or

e. Modification to an existing development for which there is no site plan of record;

~~(5) Variances;~~

~~(6) Vacation and abandonment of public lands or utility and other platted easements;~~

~~(7) Technical deviations;~~

~~(8) Right-of-way variances;~~

¹ Additions to existing Code text are shown in underlined. Deletions from existing Code text are shown in ~~strikethrough~~.

(98) Conditional uses in conjunction with a site plan;

(409) Other developments may require major development review if the development possesses special physical or operational characteristics which may substantially affect or be detrimental to adjacent land uses and the adequacy of utility services. This determination shall be made by the director of planning and development services within seven working days of receipt of the application.

(c) All other applications for development permits, including plats, shall undergo minor development review.

thereon.

Sec. 98-14. DRC major development review procedures.

(g) Referral of applications to the boards and city commission.

(4) City commission. The city commission shall conduct a public, quasi-judicial proceeding, on all ~~plat~~, site plan, and variance requests and on all site specific rezonings; provided that all interested parties appearing may waive such a hearing on the record.

(5) Development order. The city commission may grant, deny, or require conditions of approval to grant the development order. Any conditions required or approved during the review process or by the city commission shall be included in the development order. The development order and stamped sets of approved plans shall be provided to the applicant upon approval of the city commission and receipt of the signed resolution. An order denying a development permit application shall set forth the grounds for the denial and any code section which forms the basis for the denial.

(h) The city commission shall conduct a public, quasi-judicial proceeding, on all ~~plat~~, site-plan, and variance requests and on all site specific rezonings; provided that all interested parties appearing may waive such a hearing on the record.

Sec. 98-15. DRC minor development review.

Applications for minor development review, including plats, shall comply with the submission requirements set forth herein for all development plan applications to the extent applicable, but shall be subject to the following review procedures:

(1) The submission requirements of section 98-13 for development plan review, and section 98-15(7)(a) below for plats, shall be met as well as all substantive requirements of this Code; provided

that the director of planning and development services may waive a requirement ~~which~~ that may be found to be inapplicable and unnecessary to the review of the application.

(2) A development review report shall be issued which shall contain comments from members of the DRC, their determination as to compliance with this Code, a specific statement of concurrency compliance or noncompliance where applicable, and any requirements deemed necessary to achieve such compliance, including citing the specific code sections for plat reviews. Members shall forward the individual report to the planning and development services department. The planning and development services department shall compile comments into a written development plan report.

(3) If any discipline of the DRC fails to approve the application, the reasons for denial shall be stated and the application shall be denied until such time as the reasons for denial set forth in the denial are satisfied and the application appropriately modified. Both the approval and denial of an application shall be in writing. A denial shall indicate the reasons for denial.

(4) Expiration of application. An application for development plan shall be deemed to have been abandoned becoming null and void after six months of inactivity, abandonment, or failure to respond to requested corrections during the application process, unless extension has been requested by the applicant and approved by the director of planning and development services. A new application for development plan and applicable fees shall be submitted should the applicant wish to proceed with the project.

(5) Referral of applications to community appearance board. Once staff has determined the proposed development plan complies with all applicable Code requirements pursuant to the provisions of sections 78-1 through 78-8, the application shall be presented to the community appearance board. Any decisions by the community appearance board are to be incorporated into the proposed development plan prior to, or in conjunction with, planning and zoning board and city commission review.

(6) Development order. The director of planning and development services may grant, deny, or require conditions of approval to grant the development order. Any conditions required or approved during the review process or by the director shall be included in the development order. the development order and stamped sets of approved plans are provided to the applicant upon approval of the application. Stamped sets of approved plans are provided to the applicant upon approval of the application. An order denying a development permit application shall set forth the grounds for the denial and any code section, which forms the basis for the denial.

(7) Plats. All plats and replats shall require minor site plan review. The city shall evaluate the plat for compliance with the city's applicable codes and ordinances, and conformance to the other requirements of this chapter. The following standards shall be utilized in the review and evaluation of plat or replat applications, which shall contain adequate information to permit such reviews.

(a) Submission Requirements. The following information is required to be submitted to the City's planning and development services department along with the application for minor site plan review of plats:

1. Application. A completed application pursuant to Code Section 98-13(b)(1);
2. Disclosure of Ownership. Disclosure of ownership pursuant to Code Section 98-13(b)(3);
3. Filing Fee. The applicable filing fee pursuant to Code Section 98-13(b)(4);

4. Authorization Letter. An agent authorization letter pursuant to Code Section 98-13(b)(6);
5. Boundary Survey. Five (5) copies with sheet format of 24 inches x 36 inches, one (1) copy with sheet format of 11 inches x 17 inches, and one electronic copy (provided electronically and digitally signed), of a current boundary survey (12 months or less which all pages are signed and sealed by a Florida registered surveyor, of the subject property containing the information required under Code Section 98-13(b)(8)(b);
6. Proposed Plat. Five (5) copies with sheet format of 24 inches x 36 inches and one (1) copy with sheet format of 11 inches x 17 inches and one electronic copy (provided electronically and digitally signed), of the proposed plat in accordance with the requirements of Article IX Division 3 of the Broward County Land Development Code;
7. Public School Impact Analysis. For residential plats and non-residential plats within 500 feet of a Broward County public school, subject to public school concurrency review, and pursuant to the City's Interlocal Agreement with the Broward County School District, a receipt from the school district showing that a Public School Impact Application (PSIA) has been accepted for the application; and
8. Proposed Plat Language. For plat notes, the applicant shall provide the proposed language of the plat note, which shall be pre-approved by the Broward County Urban Planning Division. For plat note amendments, the applicant shall provide the existing plat note language and the proposed language of the plat note amendment, which shall be pre-approved by the Broward County Urban Planning Division;
9. Flood Hazard Areas. If any portion of proposed subdivisions lies within a flood hazard area, provide documentation satisfying the requirements of city code Section 90-11(b).
10. Other information as determined reasonably necessary by the director of planning and development services, or designee, for compliance with Section 177.091, Fla. Stat.

(b) Within seven business days of submission of a plat or replat application to the planning & development services department, the department shall provide written notice to the applicant acknowledging receipt of the submittal and identifying any missing documents or information necessary to process the submittal. The written notice shall also provide information regarding the plat or replat approval process, including requirements regarding the completeness of the process and applicable timeframes for reviewing, approving, and otherwise processing the submittal. Once the application is determined by the department to be complete, the application shall be processed pursuant to Section 98-15 (2) and (3) above.

(c) The director of the planning and development services department shall approve, approve with conditions, or deny the plat or replat submittal within the timeframe set forth in the written notice referenced in (b) above, unless the applicant requests an extension of time. If the submittal is approved or approved with conditions, the director of the planning & development services department shall issue a letter to the applicant for processing by the Broward County Urban Planning Division, and any conditions of approval shall be included in the letter. If the submittal is not administratively approved, the director shall provide written notice to the applicant that includes the reasons for declining to approve the submittal and identifies all areas of noncompliance with specific citations to each requirement the plat or replat submittal fails to meet.

(d) Upon approval of the plat by the Broward County, the applicant shall record the plat pursuant to Broward County recordation requirements. A copy of the recorded plat shall be provided to the department of planning and development services. A building permit may not be issued until the plat is recorded, unless authorization is granted in a tri-party agreement among the developer, the City of Deerfield Beach and Broward County in accordance with Article IX Section 5-187(c) of the Broward County Land Development Code.

Sec. 98-17. Development permit requirements.

The City of Deerfield Beach shall approve no ~~plat~~, site plan, or building permit until it has made the following determinations:

(17) Adequacy of schools. The city shall not approve an application for a residential ~~plat, replat,~~ plat note amendment, findings of adequacy, or any residential site plan application that generates one or more students, (or is not exempt or vested from the requirements of public school concurrency), until the school board has reported that the school concurrency requirement has been satisfied, and the city has determined that the application is consistent with this Code and the city's Comprehensive Plan.

The city shall verify prior to issuing a building permit for a residential development that either the requirements of public school concurrency have been met or that the application is exempt or vested from public school concurrency.

Sec. 14-69. - Plat book.

For the purpose of facilitating a correct numbering, a plat book, or geographical information system, of all streets, avenues and public ways within the city showing the proper house and building numbers of all properties shall be maintained ~~and kept on file~~ in ~~by~~ the office of the director of engineering and utilities. These plats shall be open to inspection by all persons during office hours.

Sec. 14-72. - Development plats to contain street names.

Every development plat ~~to be submitted to the planning and zoning board for approval~~ shall show the proper names of any and all streets and these street designations shall be deemed approved by the ~~city commission~~ city at such time as the development plat is approved.

Sec. 22-2. - Burial prohibited except in duly designated or platted cemeteries.

It shall be unlawful for any person to bury the dead body of any human being within the corporate limits of the city, except in either one of the city cemeteries designated in this article, or in a platted cemetery. The plat for non-municipal cemeteries ~~must be approved by the city commission,~~ shall show the size and situation of the cemetery, its subdivisions, and the methods used and intended to be used to designate plainly the location of burying lots or graves therein

and shall be recorded in the public records of Broward County, Florida. A copy of the recorded plat shall be furnished to the city.
